

Boise Cascade Corporation asks the Utah Labor Commission to review Administrative Law Judge Hann's award of medical benefits to P. P. Jr. under the Utah Workers' Compensation Act ("the Act"; Title 34A, Chapter 2, Utah Code Ann.).

The Labor Commission exercises jurisdiction over this motion for review pursuant to Utah Code Ann. §63-46b-12, Utah Code Ann. §34A-2-801(3) and Utah Admin. Code R602-2-1.M.

BACKGROUND AND ISSUE PRESENTED

Mr. P. filed his Application For Hearing on December 10, 2001, seeking workers' compensation benefits for accidental injuries suffered while working for Boise Cascade on August 31, 1999. Judge Hann held an evidentiary hearing on Mr. P.'s claim on February 3, 2003, then issued her decision on July 25, 2003. In summary, Judge Hann concluded that Mr. P. had been involved in a work-related accident at Boise Cascade and continued to suffer headaches as a result of the accident. Judge Hann therefore ordered Boise Cascade to pay the expense of Mr. P.'s medications necessary to treat his headaches. The medications specifically identified were Metoclopramide, Verapamil, Sonata and Amerge.

Boise Cascade now asks the Commission to review Judge Hann's Order that Boise Cascade pay for Mr. P.'s prescriptions of Sonata and Metoclopramide.

FINDINGS OF FACT

The Commission adopts Judge Hann's findings of fact.

DISCUSSION AND CONCLUSION OF LAW

In general, Boise Cascade does not dispute Mr. P.'s right to payment of the expenses of medical care necessary to treat his work-related injuries. However, Boise Cascade contends the medications Sonata and Metoclopramide are not necessary to treat those injuries.

The Commission has reviewed the medical evidence in this matter and finds no merit to Boise Cascade's argument. The Commission therefore concurs with Judge Hann's Order in this matter.

ORDER

The Commission affirms Judge Hann's Order and denies Boise Cascade's motion for review. It is so ordered.

Dated this 31st day of December, 2003.

R. Lee Ellertson, Labor Commissioner